

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BLUEFIELD DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 1:02-00102-01

WARREN COLLINS

MEMORANDUM OPINION AND ORDER

On May 24, 2019, counsel for defendant, the Office of the Federal Public Defender, filed a memorandum indicating that defendant was ineligible for relief under the First Step Act. Thereafter, on September 6, 2019, defendant, again by counsel, filed a motion to hold his motion under the First Step Act in abeyance until the United States Court of Appeals for the Fourth Circuit issued decisions in United States v. Ray, 19-6968, and United States v. Pace, 19-6845. (ECF No. 205). Although the court never entered an order ruling on this motion, it refrained from making a final decision regarding defendant's eligibility for relief. Accordingly, the motion to hold in abeyance is hereby **GRANTED**. Furthermore, no later than September 9, 2020, counsel for defendant is directed to file an updated memorandum regarding defendant's eligibility under the First Step Act. See United States v. Woodson, 962 F.3d 812 (4th Cir. 2020).

The court **DIRECTS** the Clerk to send a copy of this Order to the Federal Public Defender, the United States Attorney, and the

United States Probation Office.

IT IS SO ORDERED this 26th of August, 2020.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge